

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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| In re Patent Application of |) | |
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| Shinje KIM et al. |) | Group Art Unit: Unassigned |
| |) | |
| Application No.: Unassigned |) | Examiner: Unassigned |
| |) | |
| Filed: April 27, 2006 |) | Confirmation No.: Unassigned |
| |) | |
| For: MOLECULAR MARKER ASSOCIATED |) | |
| WITH CMV RESISTANCE AND USE |) | |
| THEREOF |) | |

FIRST INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure as set forth in 37 C.F.R. § 1.56, the accompanying information is being submitted in accordance with 37 C.F.R. §§ 1.97 and 1.98. Also enclosed is a copy of the International Search Report in connection with the related International Application.

Pursuant to 37 C.F.R. § 1.98, a copy of each of the documents cited is enclosed. However, copies of the listed U.S. patents and U.S. patent application publications are not enclosed since it is no longer required according to the July 11, 2003 waiver of the requirement for copies of cited U.S. patents and U.S. patent application publications in national patent applications filed after June 30, 2003 and international applications entering the national stage under 35 U.S.C. § 371 after June 30, 2003.

The documents are being submitted within three (3) months of the filing or entry of the national stage of this application or before the first Office Action on the merits, whichever is later. Since these documents are being filed within the time period set forth in 37 C.F.R. § 1.97(b), no fee or statement is required.

10/577433

FIRST Information Disclosure Statement

Application No. Unassigned

Attorney's Docket No. 1012679-000120

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AP20 Received 27 APR 2006

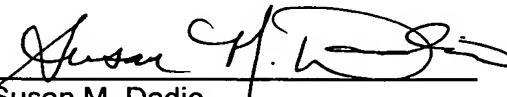
To assist the Examiner, the documents are listed on the attached form PTO-1449. It is respectfully requested that an Examiner initialed copy of this form be returned to the undersigned.

Respectfully submitted,

BUCHANAN INGERSOLL PC

Date April 27, 2006

By:


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FIRST INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet

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of

1

Application Number

Unassigned

Filing Date

April 27, 2006

First Named Inventor

Shinje Kim et al.

Examiner Name

Unassigned

Attorney Docket Number

1012679-000120

U.S. PATENT DOCUMENTS

| Examiner Initials | Document Number | Kind Code (if known) | Name of Patentee or Applicant of Cited Document | Issue/Publication Date (MM-DD-YYYY) |
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| Examiner Initials | Document Number | Kind Code (if known) | Country | Date of Publication (MM-DD-YYYY) | STATUS | | | | | | |
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| | 2-167080 | | Japan | 06-27-1990 | | | | X | | | |
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NON-PATENT LITERATURE DOCUMENTS

| Examiner Initials | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. |
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| | KALANTIDIS et al., "The Occurrence of CMV-Specific Short RNAs in Transgenic Tobacco Expressing Virus-Derived Double-Stranded RNA is indicative of Resistance to the Virus," <i>Molecular Plant-Microbe Interactions</i> , 2002, vol. 15, no. 8, pp. 826-833, The American Phytopathological Society, St. Paul, Minnesota, U.S.A. |
| | SHIN et al., "The potential use of a viral coat protein gene as a transgene screening marker and multiple virus resistance of pepper plants coexpressing coat proteins of cucumber mosaic virus and tomato mosaic virus," <i>Transgenic Research</i> , 2002, vol. 11, pp. 215-219, Kluwer Academic Publishers, the Netherlands. |
| | GLENN et al., "Molecular characterization of FDB1 and FDB2, two <i>Fusarium verticillioides</i> genes essential for detoxification of maize antimicrobial compounds," <i>Phytopathology</i> , 2003, vol. 93, n. 6, p. S29, The American Phytopathological Society, St. Paul, Minnesota, U.S.A. – (ABSTRACT ONLY – APS Abstracts of Presentations – 2003 APS Annual Meeting). |
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| Examiner Signature | | Date Considered | |
|--------------------|--|-----------------|--|

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with M.P.E.P. § 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.